


BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2000-0020-C - ORDER NO. 2000-721  
AUGUST 30, 2000

IN RE: Application of Enhanced Communications ) ORDER   
Group, LLC For A Certificate of Public ) GRANTING  
Convenience and Necessity to Provide ) CERTIFICATE FOR  
Intrastate Resold Interexchange ) LONG DISTANCE  
Telecommunications Services Within South ) AUTHORITY  
Carolina.

This matter comes before the Public Service Commission of South Carolina (the "Commission") by way of the Application of Enhanced Communications Group, LLC ("Enhanced Communications Group" or the "Company") requesting a Certificate of Public Convenience and Necessity authorizing it to provide intrastate resold interexchange telecommunications services between and among locations within the State of South Carolina as a non facilities-based interexchange telecommunications service provider. The Company's Application was filed pursuant to S.C. Code Ann. §58-9-280 (Supp. 1999) and the Regulations of the Public Service Commission of South Carolina.

The Commission's Executive Director instructed Enhanced Communications Group to publish, one time, a prepared Notice of Filing in newspapers of general circulation in the affected areas. The purpose of the Notice of Filing was to inform interested parties of Enhanced Communications Group's Application and of the manner and time in which to file the appropriate pleadings for participation in the proceeding.

The Company complied with this instruction and provided the Commission with proof of publication of the Notice of Filing. No Petitions to Intervene were filed.

A hearing was convened on June 8, 2000, at 3:00 p.m. in the Commission's Hearing Room at 101 Executive Center Drive, Columbia, South Carolina. The Honorable William Saunders, Chairman, presided. Enhanced Communications Group was not represented by counsel. Jocelyn D. Green, Staff Counsel, represented the Commission Staff.

Mr. Bo Summers, Chief Executive Officer of Enhanced Communications Group, appeared and testified in support of the Application. The record reveals that Mr. Summers, in his capacity as Chief Executive Officer of Enhanced Communications Group, oversees the entire operation of Enhanced Communications Group's business. Mr. Summers is also responsible for overseeing Mr. Jeff Holley, who handles the sales and marketing aspect of the Company. Mr. Summers also focuses on the back office operations such as customer service and billing. Mr. Holley, President and Co-Founder of the Company, and Mr. Summers are the only officers of Enhanced Communications Group.

The record reveals that Mr. Summers, prior to forming the Company, was self-employed from 1997 until 1998 as an Independent Telecommunications Agent in Tulsa, Oklahoma. As an independent telecommunications agent, Mr. Summers supervised twenty-five sales representatives and three district sales managers, developed and maintained an annual budget, implemented training modules and the daily operations of a successful branch office. Additionally, in 1997, Mr. Summers was employed with MCI

Direct as an Assistant District Sales Manager and an Account Executive in Tulsa, Oklahoma. Furthermore, according to the record, Mr. Holley worked as a Supervisor at Matrix Telecommunications (Sprint) from 1992 until 1994. Additionally, from 1994 until 1997, Mr. Holley was employed in several positions with MCI such as Sales Representative, Assistant District Manager, District Sales Manager, and Branch Manager.

Upon receiving certification from the Commission, Enhanced Communications Group plans to provide resold interexchange telecommunications services from points of origin within the State of South Carolina. The Company plans to operate solely as a reseller; it does not plan to construct any facilities in South Carolina. If the Company chooses to install facilities in the future, it might do so after receiving Commission approval. The Company does not plan to offer prepaid calling cards in South Carolina immediately after receiving certification.

Enhanced Communications Group was formed a little over two years ago. As of the hearing date, Enhanced Communications Group had received certification to provide its telecommunications services in thirty-one states. The Company is providing long distance and internet services in Oklahoma and Kansas. The Company is operating in good standing in all the states where it has been certified to provide its services.

According to Mr. Summers, Enhanced Communications Group has never had authority denied in any state where it has applied for authority nor has the Company had authority revoked in any state where it has been granted authority. Additionally, Enhanced Communications Group has never been the subject of an investigation, fined or sanctioned by a state or federal regulatory body.

Regarding the Company's technical ability to offer telecommunications services in South Carolina, Enhanced Communications Group is the first point of contact for customers who encounter technical problems. Enhanced Communications will handle any network problems it can. If the Company can not handle network-related problems, it will seek assistance from the underlying carrier. The Company's underlying carrier in South Carolina may be VSL, a company formerly known as Destia. The Company might also use two of the carriers Enhanced Communications Group was in the process of negotiating a contract with at the time of the hearing.

Enhanced Communications utilizes a letter of authorization as evidence that a customer wishes to switch carriers; the Company also has plans to use Voice Log, a third party verification company, for some potential customers such as small businesses. The Company will market its services primarily to commercial customers; however, Enhanced Communications Group will not refuse to serve residential customers.

Enhanced Communications Group's customer service department is located in Oklahoma; this department is open from 8:00 a.m. until 6:00 p.m. The Company does have pager support twenty-four hours a day. The Company also handles its own billing services and Enhanced Communications Group's name and toll-free customer service number appears on customers' bills.

Mr. James Kane, Director of Finance for the Company, is the financial contact person for Enhanced Communications Group. According to Mr. Summers, the Company has financial backing from family members and Enhanced Communications Group has access to additional financial resources such as banks and telecommunications financial

providers available to it if necessary. As of March 20, 2000, the Company's total current assets were \$30,345.89 and its total current liabilities were \$78,733.92.

The Company will market its services through independent agents primarily in the south central part of the country but the Company does want to be able to provide nationwide services to customers who might have multiple locations throughout the country. The Company prefers for its agents to have a telecommunications background and to be able to deal with potential customers on a face-to-face basis.

According to the testimony, Enhanced Communications Group has not marketed its services in South Carolina prior to receiving certification. Additionally, the Company has not provided local or long distance services in South Carolina or received revenues from the completion of intrastate calls in South Carolina prior to receiving certification. Finally, Mr. Summers testified Enhanced Communications Group will abide by all the Commission's rules, regulations and Orders upon the Company receiving certification to operate as a reseller of intrastate interexchange telecommunications services in South Carolina.

After full consideration of the applicable law, the Company's application, and the evidence presented at the hearing, the Commission hereby issues its findings of fact and conclusions of law:

#### **FINDINGS OF FACT**

1. Enhanced Communications Group is organized as a corporation under the laws of the State of Oklahoma and is authorized to do business as a foreign corporation in the State of South Carolina by the Secretary of State.

2. Enhanced Communications Group operates as a non facilities-based reseller of interexchange services and wishes to provide its services in South Carolina.

3. Enhanced Communications Group has the experience, capability, and financial resources to provide the services as described in its Application.

### **CONCLUSIONS OF LAW**

1. Based on the above findings of fact, the Commission determines that a Certificate of Public Convenience and Necessity should be granted to Enhanced Communications Group to provide intrastate interLATA service and to originate and terminate toll traffic within the same LATA, as set forth herein, through the resale of intrastate Wide Area Telecommunications Services (WATS), Message Telecommunications Service (MTS), Foreign Exchange Service, Private Line Service, or any other services authorized for resale by tariffs of carriers approved by the Commission.

2. The Commission adopts a rate design for Enhanced Communications Group for its resale of interexchange services which includes only maximum rate levels for each tariff charge. A rate structure incorporating maximum rate levels with the flexibility for adjustment below the maximum rate levels has been previously adopted by the Commission. In Re: Application of GTE Sprint Communications Corporation, etc., Order No. 84-622, issued in Docket No. 84-10-C (August 2, 1984).

3. Enhanced Communications Group shall not adjust its interexchange rates below the approved maximum level without notice to the Commission and to the public. Enhanced Communications Group shall file its proposed rate changes, publish its notice

of such changes, and file affidavits of publication with the Commission two weeks prior to the effective date of the changes. However, the public notice requirement is waived, and therefore not required, for reductions below the maximum cap in instances which do not affect the general body of subscribers or do not constitute a general rate reduction. In Re: Application of GTE Sprint Communications, etc., Order No. 93-638, issued in Docket No. 84-10-C (July 16, 1993). Any proposed increase in the maximum rate level for interexchange services reflected in the tariff which would be applicable to the general body of the Company's subscribers shall constitute a general ratemaking proceeding and will be treated in accordance with the notice and hearing provision of S.C. Code Ann. §58-9-540 (Supp. 1999).

4. If it has not already done so by the date of issuance of this Order, Enhanced Communications Group shall file its revised tariff and an accompanying price list within thirty (30) days of receipt of this Order. The revised tariff shall be consistent with the findings of this Order and shall be consistent with the Commission's Rules and Regulations.

5. Enhanced Communications Group is subject to access charges pursuant to Commission Order No. 86-584, in which the Commission determined that for access purposes resellers and facilities-based interexchange carriers should be treated similarly.

6. With regard to the Company's resale of service, an end-user should be able to access another interexchange carrier or operator service provider if the end-user so desires.

7. Enhanced Communications Group shall resell the services of only those interexchange carriers or LECs authorized to do business in South Carolina by this Commission. If Enhanced Communications Group changes underlying carriers, it shall notify the Commission in writing.

8. Enhanced Communications Group shall file surveillance reports on a calendar or fiscal year basis with the Commission as required by Order No. 88-178 in Docket No. 87-483-C. The proper form for these reports can be found at the Commission's web site at [www.psc.state.sc.us/forms](http://www.psc.state.sc.us/forms). The title of this form is "Annual Information on South Carolina Operations For Interexchange Companies and AOS". Be advised that the Commission's annual report for telecommunication companies requires the filing of intrastate revenues and intrastate expenses.

9. The Company shall, in compliance with Commission regulations, designate and maintain an authorized utility representative who is prepared to discuss, on a regulatory level, customer relations (complaint) matters, engineering operations, tests and repairs. In addition, the Company shall provide to the Commission in writing the name of the authorized representative to be contacted in connection with general management duties as well as emergencies which occur during non-office hours. Enhanced Communications Group shall file the names, addresses and telephone numbers of these representatives with the Commission within thirty (30) days of receipt of this Order. The "Authorized Utility Representative Information" form can be found at the Commission's web site at [www.psc.state.sc.us/forms](http://www.psc.state.sc.us/forms); this Form shall be utilized for the



provision of this information to the Commission. Further, the Company shall promptly notify the Commission in writing if the representatives are replaced.

10. With regard to the origination and termination of toll calls within the same LATA, Enhanced Communications Group shall comply with the terms of Order No. 93-462, Order Approving Stipulation and Agreement, in Docket Nos. 92-182-C, 92-183-C, and 92-200-C (June 3, 1993), with the exception of the 10-XXX intraLATA dialing requirement, which has been rendered obsolete by the toll dial parity rules established by the Federal Communications Commission, pursuant to the Telecommunications Act of 1996 (See, 47 CFR 51.209).

11. The Company is directed to comply with all Rules and Regulations of the Commission, unless a regulation is specifically waived by the Commission.

12. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
Chairman

ATTEST:

  
Executive Director

(SEAL)